

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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NESPRESSO USA, INC.,

Plaintiff,

-against-

WILLIAMS-SONOMA, INC.,

Defendant.

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KATHARINE H. PARKER, UNITED STATES MAGISTRATE JUDGE

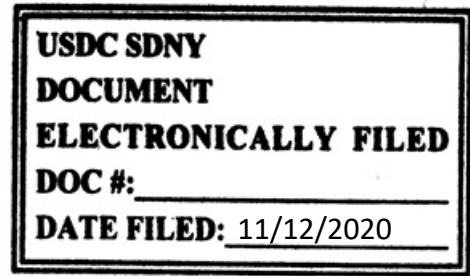
Consistent with the telephonic case management conference held today – November 12, 2020 – in the above-captioned matter, the parties are directed as follows:

Scope of Discovery

The parties dispute the proper scope of discovery given the nature of the remaining claims in this case. Having heard from both parties on this issue, the Court agrees with Nespresso and finds that William-Sonoma's document requests in this case should be understood as limited to those responsive documents that were created within the past **six years, with the exception of targeted requests from earlier time frames as discussed at today's conference**. This time limitation is reasonable and proportional given the needs of this case.

Requests for Production

The parties also identified several discreet issues related the Williams-Sonoma's outstanding discovery requests. First, the parties dispute the extent to which Nespresso must produce financial documents that list the trademark rights in Nespresso's possession as assets.



ORDER

1:19-cv-4223 (LAP) (KHP)

As stated in the conference, Nespresso is directed to identify all its major transactions that have occurred within the last **ten years** in which Nespresso would have been required to list its trademark rights/assets on a transaction document. The parties are directed to meet and confer on this issue once Nespresso can identify that number of transactions and the potential financial documents that are at issue.

Contention Interrogatories

Williams-Sonoma shall stagger its service of contention interrogatories. Its first set of contention interrogatories shall be focused on questions designed to ascertain and potentially narrow issues (and discovery) and may be served on Nespresso **no earlier than November 16, 2020**. Williams-Sonoma may serve a second set of contention interrogatories no earlier than **November 30, 2020**. Nothing herein extends the number of interrogatories permitted under the Federal Rules of Civil Procedure.

Other Discovery Issues

The parties are referred to the conference transcript for the Court's directions on the other discovery issues addressed today.

Conference Scheduling

The Court will hold a series of telephonic case management conferences in this matter on the dates listed below. The parties shall file a joint status letter three business days in advance of each conference with agenda items specifying the issues that should be addressed at the conference and the parties' respective positions on them. The letters shall be no more

than **five pages** in length. Counsel is directed to call into the court conference line at the scheduled times listed below. **Please dial (866) 434-5269; access code 4858267.**

- **Monday December 21, 2020 at 2:30 p.m.**
- **Wednesday January 13, 2021 at 11:30 a.m.**
- **Thursday February 4, 2021 at 2 p.m.**
- **Thursday March 4, 2021 at 2 p.m.**

SO ORDERED.

Dated: November 12, 2020
New York, New York



KATHARINE H. PARKER
United States Magistrate Judge